

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012**

November 4, 2008

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of the regular meeting minutes of October 21, 2008
 - B. Acceptance of the minutes of the Planning Commission meeting of October 9, 2008
 - C. Ratification of a Proclamation commemorating Haskell Middle School's 50th Anniversary
 - D. Ratification of a Proclamation acknowledging Trinity Lutheran Church's 25th Anniversary
 - E. Ratification of Double Eagle Superfund Site Small Party Settlement Agreement
 - F. Approval of nomination of Wayne Bishop and Patsy Terry for 2009 Honorary Mayor and Vice Mayor
 - G. Approval of the City of Broken Arrow 2009 Meeting Calendar
 - H. Approval of a Special Events Permit for Broken Arrow Civitans to hold their annual Christmas Parade on Saturday, December 6, 2008 at 10:00 a.m., including the temporary closing of Main Street from Elgin to Pittsburg Avenues
 - I. Acceptance of an Oklahoma Department of Transportation 2008 Highway Tree Program Grant Award
 - J. Approval of the Parks and Recreation Master Plan
 - K. Approval of renewal of the All Risk Property and Commercial Liability Insurance Policy for the City-owned building occupied by Bass Pro Shops
 - L. Approval of and authorization to execute a Second Amendment to Access Agreement between the City of Broken Arrow and Northeastern State University (NSU), extending the period for burning and disposal of storm debris until February 28, 2009
 - M. Approval of and authorization to execute a contract with the Institute of Police Technology and Management (IPTM) to provide advanced traffic training on the investigation of bicycle and pedestrian related crash investigation

- N. Approval of and authorization to execute a Police Service Agreement between the City of Broken Arrow and the Board of Regents of Oklahoma Colleges/Northeastern State University Broken Arrow campus
- O. Approval of BAZ 1817, 0.98 acres, 1 lot, A-RMH to RMH, one-half mile north of Omaha Street (51st Street) and one-half mile east of 37th Street (209th East Avenue) at 21480 East 47th Street
- P. Approval of PT08-116, Conditional Final Plat for The Shops at Broken Arrow II, 32.62 acres, 6 lots, C-H, one-quarter mile east of 9th Street (Lynn Lane/177th East Avenue) and one-quarter mile north of the Broken Arrow Expressway
- Q. Approval of PT08-117, Conditional Final Plat of Turnberry Commercial, 12.87 acres, 2 lots, C-G (BAZ 1801), Southwest corner of Dearborn Street (41st Street) and 37th Street (209th E. Avenue)
- R. Approval of PT08-121, Conditional Final Plat for The Shops at Broken Arrow III, 8.09 acres, 3 lots, C-H, one-quarter mile east of 9th Street (Lynn Lane/177th East Avenue), north of the Broken Arrow Expressway
- S. Approval of PUD 192, 9100 Garnett Center, 6.62 acres, 1 lot, CN (BAZ 1763), northeast corner of Garnett Road (113th East Avenue) and Washington Street (91st Street)
- T. Acceptance of a Deed of Dedication from Lynn Lane Village, LLC (S35 T19 N R14 E) (Project: Schermerhorn Lot split)
- U. Approval of Partial Vacation of Plat for The Shops at Broken Arrow and authorization to execute 'Partial Vacation of the Plat and Partial Termination of Deed of Dedication and Restrictive Covenants of The Shops at Broken Arrow'
- V. Acceptance of a Sewerline Easement, two (2) Deeds of Dedication and three (3) Utility Easements from Buyer's Group, LLC (S11 T17 N R14 E) (Project: Lot Splits at Indian Springs Country Club)
- W. Acceptance of a Sewerline Easement from Roland Investments, Ltd (S3 T18N R14E) (Project: Stone Ridge Towne Center DN04-133)
- X. Approval of bids received and award of the most advantageous bid to Bound Tree Medical LLC, for two adult and two infant manikins and accessories
- Y. Approval of bids received and award of the most advantageous bid to RLM Construction Co., Inc., for the Police Department Remodel
- Z. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
 - A. None
- 8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (approximately 7:00 p.m.)**
- 9. General Council Business**

- A. Consideration, possible approval of and authorization to execute a Professional Services Agreement between the Broken Arrow Economic Development Authority and Sam Stone, Attorney at Law, to receive legal advice and representation for bonding and economic development projects
- B. Consideration, possible approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and the Center for Economic Development Law, for legal advice and representation for a proposed TIF District
- C. Consideration, possible approval of and authorization to execute Resolution No. 551 - Corrected, a resolution of the City Council for the City of Broken Arrow approving the transfer of Sales Tax Capital Improvement funds to Broken Arrow Economic Development Authority for the purpose of funding infrastructure improvements at Stoneridge Towne Center, and Budget Amendment No. 5
- D. Consideration, possible approval of and authorization to execute Resolution No. 552, a resolution declaring the intent to consider approval of a project and creation of a Tax Increment District under the Local Development Act; directing preparation of a project plan; appointing a review committee; directing the review committee to make findings as to eligibility and financial impact, if any, on taxing jurisdictions within the district; and directing the review committee to make a recommendation with respect to the proposed project
- E. Consideration, possible approval of and authorization to execute Resolution No. 553 of the City Council of the City of Broken Arrow ratifying the transfer of economic development funds to the Broken Arrow Economic Development Authority for the purpose of acquiring two assignments of real estate purchase agreements and approving the transfer for payment of the inspection extension payments

10. City Manager's Report

- A. Neighborhood Stabilization Program

11. Preview Ordinances

- A. None

12. Ordinances

- A. Ordinance No. 2994 - an ordinance amending Chapter 4, Article II, Section 4-16 of the Broken Arrow Code pertaining to being intoxicated in public, or while in any unenclosed space on any private property of another while uninvited; drinking in public places; repealing all ordinances to the contrary; and declaring an emergency
- B. Ordinance No. 2995 - an ordinance amending Chapter 7, Article I, Section 7-6 of the Broken Arrow Code pertaining to throwing or depositing of litter on public places; penalties; repealing all ordinances to the contrary; and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

- 14. Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on litigation concerning City of Broken Arrow v. Troy Dwight Cospers and Joyce Marie Cospers, et al., Tulsa County District Court Case Number CJ-2007-6992, City of Broken Arrow v. Lenard A. Poplin and Rosella C. Poplin, et al., Tulsa County District Court Case Number: CJ-2007-07889, City of Broken Arrow v. Tommy J. Donathan, et al., Tulsa County District Court Case Number: CJ-2007-7894; City of Broken Arrow v. Stacy L. Heller, a single

person, et al., Tulsa County District Court Case Number: Case Number: CJ-2007-07893, City of Broken Arrow v. Gloria J. Mayfield, et al., Tulsa County District Court Case Number CJ-2008-01625, City of Broken Arrow v. Jack Kelso Parrott., Tulsa County District Court Case Number CJ-2008-01624, City of Broken Arrow v. Linda Ranson-Jacobs, et al., Wagoner County District Court Case Number CJ-2008-736, City of Broken Arrow v. Michael and Stephanie Mueller, et al. Tulsa County District Court Case Number CJ-2008-3178, Smotherman v. Jackson and Dufriend, U.S. District Court Case Number: 08 CV 600 TKC SAJ, and Pribble v. City of Broken Arrow, U.S. District Court Case Number 08 CV 147 GKF SAJ, all under 25 O.S. § 307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. Adjournment

NOTICE:

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, 2008, at _____ a.m./p.m.

City Clerk